

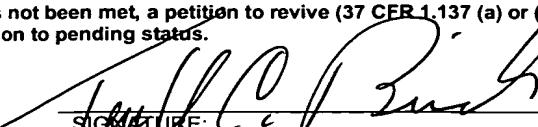
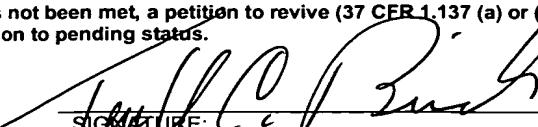
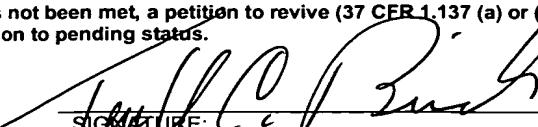
PTO-1390 (Rev. 12-2004)

Approved for use through 03/31/2007. OMB 0651-0021  
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>1152-0316PUS1</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/522748 NEW</b>
INTERNATIONAL APPLICATION NO. PCT/JP2003/009689	INTERNATIONAL FILING DATE 30 July 2003	PRIORITY DATE CLAIMED 31 July 2002
TITLE OF INVENTION DATA COMMUNICATION APPARATUS, INTERMITTENT COMMUNICATION METHOD THEREFOR, PROGRAM DESCRIBING THE METHOD AND RECORDING MEDIUM FOR RECORDING THE PROGRAM		
APPLICANT(S) FOR DO/EO/US Nobuhiko FUNATO		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))        a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).        b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.        c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).        a. <input checked="" type="checkbox"/> is attached hereto.        b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))        a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> have been communicated by the International Bureau.        c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.        d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: PCT/ISA/210; PCT/IPEA/416; PCT/IPEA/409; PCT/IB/301; PCT/IB/304; PCT/IB/332; PCT/IB/308 &amp; Twelve (12) sheets of Formal Drawings</p>		

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<input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee ..... \$200.00 <input checked="" type="checkbox"/> c) Search fee ..... \$500.00			<b>Applicant Use</b> \$ 300.00 \$ 200.00 \$ 500.00 <b>Office Use Only</b> \$ 1,000.00																																																																																																																			
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																																																																																																						
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A duplicate copy of this sheet is enclosed.        d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.     </td> </tr> <tr> <td colspan="6">NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</td> </tr> <tr> <td colspan="6">SEND ALL CORRESPONDENCE TO:</td> </tr> <tr> <td colspan="6">         SIGNATURE: Terrell C. Birch        NAME     </td> </tr> <tr> <td colspan="6">CUSTOMER NUMBER: 02292 January 28, 2005 /smt</td> </tr> <tr> <td colspan="6">19,382 REGISTRATION NUMBER</td> </tr> </tbody></table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	62 - 20 =	42	x	50.00	\$ 2,100.00	Independent claims	4 - 3 =	1	x	200.0	\$ 200.00	MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	360.00	\$ 360.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 3,660.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.						<b>SUBTOTAL = \$ 3,660.00</b>						Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).						<b>TOTAL NATIONAL FEE = \$ 3,660.00</b>						Fee for recording the enclosed assignment (37 CFR 1.21 (h)). 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10/522748

DT1 c'd PCT/PTO 28 JAN 2005

Docket No.: 1152-0316PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Nobuhiko FUNATO

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: January 28, 2005

Art Unit: N/A

For: DATA COMMUNICATION APPARATUS,  
INTERMITTENT COMMUNICATION METHOD  
THEREFOR, PROGRAM DESCRIBING THE  
METHOD AND RECORDING MEDIUM FOR  
RECORDING THE PROGRAM

Examiner: Not Yet Assigned

LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

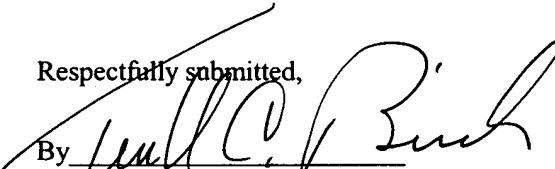
Sir:

The PTO is requested to use the amended sheets/claims attached hereto (which correspond to Article 19 amendments or to claims attached to the International Preliminary Examination Report (Article 34)) during prosecution of the above-identified national phase PCT application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §1.16 or 1.14; particularly, extension of time fees.

Dated: January 28, 2005

Respectfully submitted,

By   
Terrell C. Birch

Registration No.: 19,382  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
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Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

TCB/smt